

NEW WEST MANAGED CARE OPTION PLAN DESCRIPTION

A SUPPLEMENT TO THE STATE OF MONTANA EMPLOYEE BENEFITS SUMMARY PLAN DOCUMENT

This Supplement replaces corresponding medical benefit sections of the State of Montana Employee Benefits Summary Plan Document for members enrolled in the Managed Care Option (MCO) Plan administered by New West Health Services.

For purposes of this Supplement:

“**Employer**” means State of Montana

“**Health plan or NWHP**” means New West Health Services

“**New West Managed Care Option (MCO) Plan**” means the plan of benefits defined by this Supplement and applicable provisions of the Employer’s Employee Benefits Summary Plan Document and current Schedule of Benefits.

Employer Contact:

Department of Administration
Health Care and Benefits Division
PO Box 200130
Helena MT 59620

Website: www.benefits.mt.gov
E-mail: benefitsquestions@mt.gov

1-800-287-8266
444-7462 in Helena

Health plan Contact:

New West Customer Service at 1-800-290-3657 or 457-2200 in Helena or visit their web site at www.newwesthealth.com.

Effective January 2008

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HOW TO OBTAIN BENEFITS

Payment of benefits under this New West MCO Plan will be made on the basis of your submission of required information to the New West Health plan (NWHP). You must also be eligible for benefits as described in the main Employee Benefit Summary Plan Description.

SECTION 1: OBTAINING BENEFITS

1.1 STEPS TO TAKE IN ADVANCE OF RECEIVING SERVICES

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1. Make sure you have a current identification card from the health plan. Make sure it contains the correct identification number, name(s), dependent coverage information, and date(s) of birth. If you need services before you receive your card or have lost it, ask your provider to verify your coverage by calling the health plan or the employer at the numbers or location on the cover page. Replacement cards can also be ordered by calling the health plan.
2. Make sure there is an available New West network (in-network) provider in your area that you and any enrolled dependents feel comfortable using for your typical health care needs. You may also want to determine if there are specialists in the New West network that will meet your (and dependents') medical needs. Referrals are **not** needed for in-network specialists. A list of health plan network providers is available on the New West web site at www.newwesthealth.com. Specify the "New West Health plan/Services" list of providers.

NWHP has a nationwide provider network that is available for members whose temporary residence or temporary student residence is outside of MT or with pre-certification/prior authorization when services are not available in MT. Health care services accessed through the NWHP nationwide provider network must be approved by the NWHP medical services department to receive the in-network level of benefits. If you fail to obtain pre-certification or prior authorization from NWHP, the services will be considered out-of-network, except for emergency or urgent care services discussed in 3d below.

If you are a temporary resident in a state other than MT or are a student temporarily residing outside

MT, You may access NWHP's nationwide provider network without pre-certification/ prior authorization, and covered medical services will be processed at the in-network level of benefits -- provided you notify NWHP of your residency or student status in advance of receiving health care services. To find nationwide providers go to provider listings on the New West web site and specify the nationwide provider-all products list.

3. In advance of receiving services, know and optimize your benefits:
 - a. Obtain pre-certification for inpatient hospital stays. All non-emergency inpatient hospital stays must be pre-certified (prior to admission) by calling the health plan to make sure the stay meets medical necessity requirements for inpatient benefits. All emergency admissions (for an emergency medical condition) must be certified within 48 hours after admission, or at the first opportunity, to make sure any continued stay meets medical necessity criteria for inpatient benefits. The hospital will typically make this call to assure payment, but since you are responsible for all charges that are not for covered medical services, you should call as well for your own protection. You should also call to confirm that the hospital is an in-network facility if you are unsure.
 - b. Determine if you need prior authorization by the health plan for specific proposed medical procedures, equipment, or supplies. You must call the health plan and obtain prior authorization to receive benefits for:
 - 1) dental health care services/oral surgery including TMJ surgery (under medical benefits);
 - 2) dialysis;
 - 3) durable medical equipment expenses in excess of \$1,000 and rental of DME equipment after 3 months;
 - 4) genetic testing;
 - 5) growth hormone therapy;
 - 6) home health services;
 - 7) home infusion services;
 - 8) infertility treatment
 - 9) neuropsychiatric testing;
 - 10) obesity management;
 - 11) out-of-network/out-of-state services for which the in-network level of benefits is desired;

- 12) outpatient infusion services, rendered at home or in any infusion center (not in Provider's office or Hospital);
 - 13) PET (positron emission tomography) scans;
 - 14) rehabilitative, extended or skilled nursing health care services provided in an inpatient facility other than a Hospital, including, but not limited to, a Skilled Nursing Facility;
 - 15) services from a provider in the NWHP nationwide network for which the in-network level of benefits is desired, unless the member lives temporarily or is a student temporarily residing outside MT and has notified NWHP of out-of-state residency.
 - 16) speech therapy;
 - 17) the following surgeries: pacemaker insertion, reconstructive surgery, reduction mammoplasty (breast reduction surgery), varicose vein ligation and stripping, or laser ablation; Blepharoplasty/eyelid surgery, Palatopharyngoplasty (repair of cleft palate), Rhinoplasty, Septoplasty, Uvulopalato-pharyngoplasty (UPPP) or other surgeries that may be considered cosmetic.
 - 18) transplants;
 - 19) ultrasounds-second and subsequent in pregnancy only;
- c. Call and obtain prior authorization to assure coverage for any services that are new, outside standard medical practice (and which may be excluded as experimental), or that are only covered under some circumstances (as described in Section 2).
 - d. Obtain the in-network level of benefits (the highest level of benefits described in the Schedule of Benefits) by:
 - 1) obtaining covered medical services from a New West network provider; or
 - 2) obtaining covered medical services from an out-of-network provider or nationwide network provider under the following circumstances:
 - a) with prior authorization by New West health plan. Services from out-of-network providers or nationwide network providers are generally only prior

authorized when circumstances preclude in-network or in-State services. However, a member who lives temporarily or is a student residing outside of MT who notifies NWHP of out-of-state residency may receive health plan authorization to utilize the nationwide network without prior authorization of specific services.

b) for treatment of an emergency medical condition. In the case of a medical emergency, plan members are encouraged to obtain services from the closest appropriate provider. You will receive the in-network level of benefits for immediate treatment of an emergency medical condition by any eligible provider including an out-of-network provider. However, you will only receive the in-network level of benefits for any out-of-network follow up care (after the medical emergency has ended) if the above pre-certification/prior authorization requirements are met.

c) for facility/professional services for urgent care (care of an urgent medical condition).

Other covered services from an out-of-network provider will receive the out-of-network level of benefits (described in the current Schedule of Benefits) with some exceptions. Medical services identified in 2.1.3 have no out-of-network benefit.

- e. Determine if there are frequency, duration, or dollar limits on services you plan to receive so you can consider alternatives, if needed (see Section 2 and the current Schedule of Benefits).

1.2 STEPS TO TAKE TO RECEIVE BENEFITS AND PAYMENT

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1. Present your identification card to the physician, hospital, or other health care provider when you or any covered dependents receive services, and pay any required copayments.
2. Make sure the provider has your current identification number and address. If you change your address, notify the employer at the number or location on the cover Page.

3. In most cases, providers will file a claim for benefits with NWHP on your behalf, but you are responsible for ensuring that the claim is filed. A CLAIM MUST BE FILED WITH THE HEALTH PLAN WITHIN TWELVE MONTHS OF THE DATE OF SERVICE TO RECEIVE BENEFITS. Occasionally, if you use an out-of-network provider, you may need to complete a standard claim form, which should be available from the provider. Have the provider complete their portion and send the completed form, with all itemized bills attached, to the health plan address on your identification card.
4. In most cases, payment will be sent directly to the provider. However, under certain circumstances, NWHP may make payment for services of an out-of-network provider to you, and you will be responsible for paying the provider. For in-network providers, you will be responsible for paying the deductible, coinsurance, copayment, and charges for non-covered medical services only -- not amounts above the allowable fees
5. Respond to requests for information about accidents, pre-existing conditions, other insurance coverage, additional information for prior authorization or pre-certification or any other information requests from the health plan. Your claim will not be adjudicated until and unless the required information is received within the time frame required by the Health plan.
6. Monitor invoices from the provider and explanations of benefits from the health plan to make sure the health plan received and adjudicated a claim for services and that the provider received any payment due.

1.3 EXPLANATIONS OF BENEFITS (EOBs) & NOTIFICATION OF CLAIM APPEAL RIGHTS

Check EOB's from the health plan to determine if you have received the benefits described in this Managed Care Supplement and to determine what fees you owe the provider (deductible, copayments not paid at the time of service, coinsurance, charges for uncovered services, and charges in excess of allowable fees when using providers who are not in the MCO plan network.

If a claim is denied in whole or in part, the claimant will receive written notice of the adverse benefit determination.

A claim Explanation of Benefits (EOB) will be provided by the health plan showing:

1. The reason the claim was denied;
2. Reference(s) to the specific MCO Plan provision(s) or rule(s) upon which the claims decision was based which resulted in the denial or partial denial;
3. Any additional information needed to perfect the claim and why such information is needed; and
4. An explanation of the claimant's right to appeal the adverse benefit determination for a full and fair review.

If a claimant does not understand the reason for any adverse benefit determination, he or she should contact the health plan at the address or telephone number shown on the EOB form. See the Employer's Summary Plan Document for claims appeal procedures.

1.4 SELF-AUDIT AWARD PROGRAM

To receive a self-audit reward of up to \$1,000, check bills from your medical providers to make sure you have not been double billed for services or billed for services you haven't received.

You can receive an award of 50% of identified over-charges up to \$1,000 as follows:

- a. The over-charges must not have already been detected by the health plan or reported by the provider;
- b. The over charges must be \$50 or more; and
- c. The over-charges must be within allowable fees for covered medical expenses.

To receive a self-audit award, take the following steps:

- a. Notify the health plan of the error before it is detected by the plan or provider.
- b. Contact the provider to verify the error and determine or work out a correct billing.
- c. Have copies of the corrected billing sent to the health plan for verification, claims adjustment and calculation of the self-audit award.

MEDICAL BENEFITS

SECTION 2: PLAN BENEFITS

2.1 COVERED EXPENSES & SERVICES, GENERALLY

2.1.0 COVERED MEDICAL EXPENSES

Covered medical expenses of the New West MCO Plan are:

- a. expenses within allowable fees (you are responsible for amounts over allowable fees if you use a provider other than a New West network provider or a New West nationwide provider);
- b. expenses within the specified benefit limitations contained in this Supplement and the current Schedule of Benefits, and which meet other requirements of the Employer's Summary Plan Document (such as applicable waiting periods); and
- c. expenses for covered medical services, defined next.

2.1.1 COVERED MEDICAL SERVICES

Covered medical services are services, procedures, and supplies:

- a. listed in this Supplement as covered medical services, and not specified as exclusions in this Supplement or in the current Schedule of Benefits;
- b. determined by the health plan to be medically necessary for the diagnosis or treatment of:
 - 1) injury;
 - 2) illness;
 - 3) maternity; or
 - 4) are preventive services specified in this section.
- c. provided in accordance with the terms of this MCO plan including any prior authorization requirements and time and service limits.
- d. provided to a member by a licensed provider; and
- e. provided and coded in accordance with applicable medical policy and industry standards.

Covered medical expenses are paid or credited to the member's deductible, copayment and coinsurance

obligations for the applicable level of benefits as described below.

2.1.2 IN-NETWORK LEVEL OF BENEFITS

You receive the in-network level of benefits (described in the current Schedule of Benefits) for covered medical services that are:

- a. provided by an in-network provider;
- b. provided by a nationwide provider with prior authorization by New West Health Services or with New West approval for members who temporarily live or are students temporarily residing outside MT and who have notified New West of out-of-state residency;
- c. treatment of an emergency medical condition or facility/professional services for urgent care (care of an urgent medical condition) by any provider; or
- d. other out-of-network care with prior authorization by New West Health Services.

You will be responsible for any deductible, copayment and coinsurance amounts, which the current Schedule of Benefits specifies for the in-network level of benefits. See 2.2 through 2.12 for any special requirements for receiving the in-network level of benefits for particular covered medical services or services with limited coverage.

2.1.3 OUT-OF-NETWORK LEVEL OF BENEFITS

You will receive the reduced out-of-network level of benefits (described in the current Schedule of Benefits) for all other covered medical services with some exceptions. There are no benefits for the following services unless they are in-network, or you have prior authorization/pre-certification of out-of-network services from New West Health Services, permitting the in-network level of benefits (See 2.1.2 above):

- a. Transplant services;
- b. Infertility treatment; and
- c. Obesity management (nonsurgical)

(Note that the above require prior authorization for any benefits)

For covered medical services eligible for the out-of-network level of benefits, you will be responsible for

any applicable copayment, deductible, and coinsurance amounts described in the current Schedule of Benefits. You will also be responsible for any charges in excess of the health plan's allowable fee owed to out-of-network providers who do not accept the health plan's allowable fees as full compensation as well as any applicable out-of-network differential.

2.2 DIAGNOSTIC/LAB

2.2.0 DIAGNOSTIC / LABORATORY SERVICES

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Prior authorization is required for PET scans, genetic testing, neuropsychiatric testing and pregnancy ultrasounds--second and subsequent.

1. Coverage includes radiology, laboratory and tissue diagnostic examinations, and diagnostic machine tests made for the purpose of diagnosing accident or illness when hospital confinement is not required and benefits are not provided elsewhere in this Supplement.
2. Radiology and laboratory benefits shall not be provided for the following:
 - a. dental examinations or treatments, except for dental x-rays resulting from injuries sustained in an accident (covered under 2. 12, provision 3);
 - b. visual examinations; and
 - c. premarital examinations and routine physical checkups, including examinations made as a requirement of employment or governmental authority, except as provided in 2.8.0.

2.3 EMERGENCY

2.3.0 AMBULANCE

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Coverage includes only emergency ground or emergency air transportation to the nearest hospital or medical facility that is equipped to furnish the services, unless otherwise approved by the health plan. The emergency transportation must be medically necessary. Medical necessity is established when the patient's condition is such that other means of transportation would endanger the health of the member. Transportation is not covered if not medically

necessary. Please see the current Schedule of Benefits for ambulance transportation Copayments.

2.3.1 EMERGENCY CARE

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Coverage includes health care for an emergency medical condition with acute symptoms that would reasonably cause a member to believe that the absence of medical attention would place the member's health in serious jeopardy, cause serious impairment to bodily functions, or cause serious dysfunction of a bodily organ or part.

The emergency room copayment (as identified in the current Schedule of Benefits) only includes the facility charge for the emergency room. Any lab fees, diagnostic fees or professional service charges are subject to deductible and coinsurance.

SPECIAL REQUIREMENT TO RECEIVE THE IN-NETWORK LEVEL OF BENEFITS FOR OUT-OF-NETWORK SERVICES

The in-network level of benefits is provided for out-of-network emergency services immediately required to diagnose and treat an emergency medical condition at the nearest appropriate medical facility without prior authorization.

If an emergency medical condition is determined to exist that requires hospital admission or any follow-up services, You must notify the health plan within 48 hours of (or the next working day after) the initial emergency care so the health plan can coordinate the subsequent follow-up care and assure continued in-network benefits. If you are incapable of calling or having a representative call the health plan within 48 hours (or on the next working day), you should contact the health plan as soon as medically possible. Once medical stabilization is achieved, New West may require transfer to a network hospital for the in-network level of benefits to continue.

2.4 HOSPITAL

2.4.0 INPATIENT HOSPITAL CARE

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Pre-certification of all non-emergency hospital admissions is required. See 2.3.1 for emergency admissions.

Inpatient hospital care is covered and includes, but is not limited to: room and board at the semi-private

room rate, general nursing care; special diets; use of operating room and related facilities; use of intensive care units and services; radiology, laboratory, and other diagnostic tests; drugs, medications, biologicals, anesthesia, and oxygen services; physical, radiation, and inhalation therapy; psychotherapy; administration of whole blood and blood plasma; short-term rehabilitation therapy services; and medical detoxification when the inpatient stay is certified as medically necessary by the health plan.

2.4.1 OUTPATIENT HOSPITAL SERVICES

Hospital services and supplies described in 2.4.0 are covered if a member is treated at a licensed hospital, but not admitted for bed patient care. Charges for observation beds/rooms are covered when medically necessary and in accordance with medical policy for services of less than 24 hours and for charges not exceeding the room rate that would be charged for an inpatient stay of one day. See 2.10.0 for information on outpatient surgical services.

2.5 MATERNITY, GYNECOLOGY AND NEWBORN CARE

2.5.0 OBSTETRICS AND GYNECOLOGY/GYN

Prior authorization is required for ultrasounds – second and subsequent in pregnancy only.

Coverage includes medically necessary obstetrical and gynecological services.

If you enroll in the employer's pre-natal wellness program within the first trimester of pregnancy or within two weeks of a pregnancy diagnosis, the following will be waived:

1. Copayments for in-network pre-natal and post-natal office visits and deductible and coinsurance on routine labs (that have not already been assessed before enrollment).
2. Deductible and coinsurance on in-network professional service charges for the delivery.

Contact the Employer for information on the pre-natal wellness program and how to enroll.

Ultrasounds will be subject to standard deductible and coinsurance with the first one exempted if the member enrolls in the employer's pre-natal wellness program as described above.

2.5.1 FACILITY OBSTETRICAL DELIVERY CARE AND SERVICES

Pre-certification of scheduled hospitalization is required. Health plan approval of emergency hospitalization, after the fact, is required as described in 2.3.1.

Coverage includes facility obstetrical delivery care and services for covered female members, including services of a licensed birthing center. A minimum 48-hour inpatient facility stay is allowed for a normal delivery, and a minimum 96-hour inpatient facility stay for a cesarean section delivery, unless otherwise agreed and deemed appropriate by the member and attending professional provider.

2.5.2 ROUTINE NEWBORN CARE

Coverage includes the initial routine care of a newborn at birth provided by a physician, standby care provided by a pediatrician at cesarean section, and facility nursery care of newborn infants.

In-network facility and professional service charges are exempt from deductible.

2.6 MISCELLANEOUS

2.6.0 CONGENITAL ANOMALY

Reconstructive surgery must be prior authorized.

Coverage includes the treatment only of medically diagnosed congenital defects and birth abnormalities.

2.6.1 DIALYSIS

Prior authorization is required.

Coverage is provided for renal disease, including the equipment, training, and medical supplies required for effective home dialysis.

2.6.2 HOME INFUSION THERAPY

Prior authorization is required

Coverage includes, but is not limited to: antibiotic therapy, enteral nutrition, total parenteral nutrition, pain management, and specialized disease state therapy.

2.6.3 INBORN ERRORS OF METABOLISM (including PKU)

Prior authorization is required.

Coverage includes the treatment of inborn errors of metabolism that involve amino acid, carbohydrate, and fat metabolism, and for which medically standard methods of diagnosis, treatment, and monitoring exist. Treatment includes diagnosing, monitoring, and controlling the disorders by nutritional and medical assessment including, but not limited to: clinical services, biochemical analysis, medical supplies, corrective lenses for conditions related to the inborn error of metabolism, nutritional management, and medical foods used in treatment to compensate for the metabolic abnormality and to maintain adequate nutritional status.

In-network supplies, including medical foods, are exempt from deductible.

2.6.4 INJECTIBLE BENEFIT

Coverage includes injectible medications administered at the provider's office or facility, when not able to be self-injected, including, but not limited to contraception, pain control, and administration of antibiotics.

Injectibles billed without an office visit are exempt from deductible and only subject to coinsurance.

2.7 PHYSICIAN

2.7.0 INPATIENT PROVIDER CARE

Pre-certification of all hospital admissions is required. See 2.3.1 for emergency admissions.

Coverage includes health care services performed, prescribed, or supervised by an eligible professional provider, including diagnostic, therapeutic, medical,

surgical, preventive, referral, and consultative health care services.

2.7.1 OUTPATIENT OFFICE VISIT SERVICES

Coverage includes health care services provided by a physician or mid-level practitioner working in a physician's office or clinic, or by other office/clinic staff members under physician direction. This includes, but is not limited to: diagnostic, treatment, laboratory, x-ray, radiation and referral services.

The in-network office visit copayment only covers the office visit allowable fee. Any laboratory, x-ray, radiation, tests, or other ancillary procedures are subject to deductible and coinsurance unless they are covered under the preventative benefits described in 2.8.0 and 2.8.1 below.

2.8 PREVENTIVE

2.8.0 ADULT PREVENTIVE SERVICES

Coverage includes the following age and gender appropriate periodic tests and services:

1. Nineteen (19) years through thirty nine (39) years of age:
 - a. one physical exam every two years, including history, screening for high-risk behavior, urinalysis, Hemoglobin OR Hematocrit, basic metabolic panel and cholesterol and lipid screening (covered preventive labs are included in the in-network office visit copayment);
 - b. for female members, the physical exam also includes a gynecological exam and pap test, which are covered annually, on off years as well (covered preventive labs are included in in-network office visit copayment);
 - c. For female members, one baseline mammogram between thirty five (35) and thirty nine (39) years of age; for female members with a documented family history of disease risk, annual mammograms when prior authorized (paid at 100% if in-network;

see current Schedule of Benefits for out-of-network benefit).

2. Forty (40) years and older:
 - a. one physical exam every year, including history, screening for high-risk behavior, urinalysis, Hemoglobin OR Hematocrit, basic metabolic panel, cholesterol and lipid screening and stool occult blood colorectal screening (covered preventive labs are included in office visit copayment);
 - b. for female members, the physical exam also includes a gynecological exam and pap test (included in office visit copayment);
 - c. for male members, the physical exam also includes PSA screening (included in office copayment);
 - d. one ECG/EKG per lifetime (subject to coinsurance & deductible);
 - e. for female members, one mammogram every year (paid at 100% in-network; see current Schedule of Benefits for out-of-network benefit).
 - f. beginning at age 50, a flexible sigmoidoscopy and double-contrast barium enema every five years; a colonoscopy every ten years (subject to coinsurance & deductible);
 - g. bone density scan every five years (subject to coinsurance & deductible) for female members age 60 and over and for male members age 70 and over.
3. Immunizations & allergy shots: Allergy shots and adult immunizations recommended by the Centers for Disease Control Immunization Guidelines are covered excluding immunizations recommended because of increased risk due to type of employment or travel, such as, but not limited to: malaria, yellow fever, hepatitis B, and tuberculosis (included in in-network office visit copayment). *In-network immunizations and allergy shots billed without an office visit are exempt from deductible and only subject to coinsurance up to a \$10 maximum.*

2.8.1 WELL CHILD BENEFITS

Well-child benefits include:

1. A history, physical examination, developmental assessment, and anticipatory guidance by a physician, as those terms are defined in 33-33-303 MCA, and laboratory tests according to the schedule of visits adopted under the early and periodic screening, diagnosis, and treatment services program provided for in MCA 53-6-101 from birth through age seven (7). Visits are covered at the following approximate ages:
 - A visit for any newborn who did not receive a newborn exam in a hospital or birthing facility or who was discharged from a hospital in less than 36 hours;
 - 1 month;
 - 2 months;
 - 4 months;
 - 6 months;
 - 9 months;
 - 12 months;
 - 15 months;
 - 18 months;
 - 24 months;
 - and one per year thereafter, through the child's seventh (7th) year of age (covered preventive labs are included in in-network office visit copayment);
2. An age and gender appropriate physical examination every two years from age 8 through age eighteen (18) including a gynecological examination and pap test for pubescent girls at the discretion of the physician (covered preventive labs are included in in-network office visit copayment); and
3. Routine immunizations (according to the schedule of immunizations recommended by the Immunization Practices Advisory Committee of the U.S. Department of Health and Human Services) and allergy shots.

In-network allergy shots and covered laboratory tests and immunizations are included in the office visit copayment. In-network immunizations and allergy shots received without an office visit are exempt from deductible and only subject to coinsurance up to a \$10 maximum.

2.9 SEVERE MENTAL ILLNESS

2.9.0 SEVERE MENTAL ILLNESS

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Pre-certification of all hospital admissions is required. See 2.3.1 for emergency admissions.

Coverage includes medically necessary care and treatment of severe mental illness as defined in 33-22-706 MCA. Severe mental illness is:

1. Schizophrenia.
2. Schizo-affective disorder.
3. Bipolar disorder.
4. Major depression.
5. Panic disorder.
6. Obsessive-compulsive disorder.
7. Autism.

2.10 SURGERY

2.10.0 SURGICAL CENTER & OUT-PATIENT HOSPITAL SURGICAL SERVICES

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Prior authorization is required for surgeries listed in 1.1, provision 3, b.

Coverage includes surgical center or outpatient hospital services and supplies furnished in connection with a covered surgical and professional services procedure performed in the center, provided the center is licensed or certified for Medicare by the state in which it is located. See 2.4.0 and 2.7.0 for coverage of inpatient surgery, and see information on specific surgeries below.

2.10.1 MASTECTOMY

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Coverage is provided for mastectomies due to malignancy, and as a result of disease, illness, or injury.

2.10.2 RECONSTRUCTIVE BREAST SURGERY

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Reconstructive surgery must be prior authorized.

Coverage provides reconstructive surgery after a mastectomy, which resulted from disease, illness, or injury.

Coverage is provided for:

- a. reconstruction of the breast on which the mastectomy was performed;
- b. surgery and reconstruction of the other breast to produce a symmetrical appearance; and
- c. prostheses and treatment of any physical complications resulting from the mastectomy, including lymphedemas.

2.10.3 ORAL SURGERY

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Prior authorization is required

Coverage includes non-cosmetic surgical treatment for the excision of lesions of the oral cavity, tongue, cheek, and maxillary/mandibular fracture, or for the treatment of degenerative joint disease that is associated with rheumatoid arthritis or osteoarthritis of the TMJ. Surgical treatment of TMJ pain, dysfunction, or disease is covered with prior authorization. Non surgical treatment is not covered.

ORTHOGNATHIC SURGERY (RECONSTRUCTIVE JAW SURGERY)

Prior authorization is required.

Coverage is provided only for the treatment of congenital conditions of the jaw that may be demonstrated to cause actual significant deterioration of the member's physical condition because of inadequate nutrition.

Dental appliances, splints, orthodontia, or other services associated with an approved jaw surgery are considered dental services and are not covered under the medical benefit.

2.10.4 RECONSTRUCTIVE SURGERY

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Prior authorization is required.

Coverage is provided in order to restore bodily function or correct deformity resulting from a disease, trauma, or congenital or developmental abnormality. Coverage includes any consequences or complications that may arise from a covered surgery or related service.

2.11 URGENT CARE

2.11.0 URGENT CARE

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Coverage includes care for an acute illness or injury

that requires immediate treatment (such as high fever; ear, nose, and throat infections; and minor sprains and lacerations).

The copayment (as identified in the current Schedule of Benefits) applies to allowable facility and professional fees for urgent care from any licensed provider. Any lab and/or diagnostic fees are subject to deductible and coinsurance.

If out-of-network follow up care is necessary because you are outside the New West service area, you must call the health plan to prior authorize the care.

2.12 SERVICES WITH LIMITED COVERAGE

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The following are health care services and supplies that are covered as described in provisions 2.1 – 2.11, but with special limitations. Some of these services have no out-of-network level of benefits, as specified next (and as listed in 2.1, provision 3). They are only covered when provided by a New West network provider (or designated stand-in physician or mid-level practitioner), or with prior authorization by New West Health Services when provided by a nationwide provider or out-of-network provider. Some services require prior authorization by the health plan (in advance of the service) for any benefits (either in-network or out-of-network). Some have dollar or service limits, or require a physician’s order.

2.12.1 CHEMICAL DEPENDENCY TREATMENT

Pre-certification of non-emergency hospital admission is required. See 2.3.1 for emergency admissions.

Coverage is provided for inpatient and outpatient treatment for alcoholism and drug addiction (excluding costs for medical detoxification, which is covered under 2.4.0). Coverage is limited to a maximum combined (inpatient and outpatient) amount for a 12-month period, (see the current Schedule of Benefits) and to a lifetime maximum inpatient amount (see the current Schedule of Benefits). After that, a small annual benefit for inpatient and outpatient treatment may be available (see the current Schedule of Benefits).

2.12.2 CHIROPRACTIC SERVICES

Please refer to the current Schedule of Benefits for visit limitations. The in-network office visit copayment covers allowable professional fees.

Deductible and coinsurance applies to x-rays, ultrasounds, and other ancillary procedures.

2.12.3 DENTAL SERVICES FOR ACCIDENTAL INJURY

Prior authorization is required.

Coverage is provided for the treatment of accidental dental injury only. It is limited to the restorative services and supplies necessary for the treatment of a fractured jaw or other accidental Injury to sound natural teeth completed within twelve (12) months after the date of the accidental Injury.

Services for the treatment of accidental injury to teeth caused by biting or chewing are exclusions of this provision (but may be covered by the dental plan).

2.12.4 DURABLE MEDICAL EQUIPMENT (DME), PROSTHETICS, OXYGEN SUPPLIES AND FOOT ORTHOTICS

Prior authorization is required for expenses in excess of \$1,000 or rental exceeding 3 months. Coinsurance does not count toward the annual out of pocket maximum (coinsurance maximum).

Coverage is provided for the following services and supplies for medical purposes only or for therapeutic use in a member’s home.

- a. rental (up to purchase price) or purchase, whichever meets the therapeutic purpose for less, of a hospital-type bed, wheelchair, walker or other durable medical equipment and repair of purchased equipment (provided the equipment is designed for prolonged use, serves a specific therapeutic purpose in the treatment of an illness or injury, is primarily and customarily used for a medical purpose, is appropriate for use in the home, and is not generally useful to a person in the absence of illness or injury). *The health plan will be responsible for determining rental versus purchase agreements. Requests for computerized and “deluxe” equipment, like motor-driven wheelchairs, are reviewed on an individual basis. The health plan will have the right to decide when standard equipment is adequate. Coverage does not include maintenance, replacement due to loss, or duplication. Replacement can occur when equipment or prosthetics are no longer repairable or when DME has been out-grown.*

- b. foot orthotics (limited to a dollar amount per foot per year specified in the current Schedule of Benefits, and excluding coverage of orthotics for the sole purpose of treating sports-related activities);
- c. oxygen services and supplies; and
- d. prosthetic appliances including the purchase and fitting of breast prostheses and the purchase and fitting of artificial limbs, larynx, eyes, other prosthetic appliances or permanent internally implanted devices that are not experimental. Repair, maintenance, replacement due to loss, and duplication are not covered. Replacement is covered when the item is no longer repairable.

2.12.5 DISEASE PROCESS EDUCATION & DIETARY NUTRITIONAL COUNSELING

See the current Schedule of Benefits for benefit maximum.

Coverage is for disease management educational programs including medically necessary dietary or nutritional counseling when referred by an in-network provider (or designated stand in physician or mid-level practitioner). The program must be a certified educational program administered by an in-network facility or in-network professional provider. Covered programs/clinics include, but are not limited to: diabetes, multiple sclerosis, respiratory, polio, and cardiac clinics. Educational services are otherwise excluded.

2.12.6 HOME HEALTH SERVICES

Prior authorization is required.

Coverage includes the following services and supplies furnished by a licensed home health agency for the care of a member in accordance with a physician's written home health care plan:

- a. part time or intermittent skilled care provided by a registered nurse or licensed practical/vocational nurse;
- b. physical, occupational, respiratory, and home infusion therapies (up to the home health visit maximum described below and in the current Schedule of Benefits);
- c. medical supplies, prescribed medications, and lab services provided at home; and

- d. part time or intermittent home health aid services required to allow the member to be treated at home.

Home health services are limited to the number of visits per benefit year specified in the Schedule of Benefits, where a day with any home health service is counted toward the maximum home health services.

The following services are not covered:

- a. services and supplies not part of the home health care plan;
- b. domestic or housekeeping services such as Meals on Wheels;
- c. services for mental or nervous conditions;
- d. transportation; and
- e. disposable supplies self-administered in the home unless covered elsewhere (gauze, bandages, etc.) and DME and prostheses, which are covered elsewhere.

2.12.7 HOSPICE SERVICES

Prior authorization is required.

Hospice services are covered for members who are diagnosed as having a terminal illness with a life expectancy of six months or less when ordered by a physician. The following hospice services are covered:

- a. Facility expenses of a hospice facility, hospital, or skilled nursing facility for board, room, and other services and supplies furnished to a person while inpatient for pain control and other acute and chronic symptom management. Expenses for a private room are covered only up to the regular daily expense for a semi-private room unless a private room is medically necessary or a semi-private room is unavailable.
- b. Hospice expenses for:
 - 1) nursing care provided by a registered nurse or licensed practical nurse, and services of a home health aide;
 - 2) medical social services provided under the direction of a physician;
 - 3) psychological and dietary counseling;
 - 4) consultation or case and disease management services;
 - 5) medically necessary physical and occupational therapy;
 - 6) medical supplies, drugs, and medicines prescribed by a physician; and
 - 7) expenses for consultant or case and

disease management services, or physical or occupational therapy by health care providers who are not employees of hospice but only when hospice retains responsibility for the care.

2.12.8 INFERTILITY TREATMENT

Prior authorization is required. No out-of-network level of benefits is available.

Benefits include diagnostic and evaluation services to determine if treatment for infertility is necessary. Follow-up treatment is limited to members who have been diagnosed as biologically infertile in accordance with accepted medical practice. Artificial insemination attempts per member per lifetime are limited to the number specified in the current Schedule of Benefits. Medically indicated fertility drugs that are authorized by the health plan must be obtained through the Employer's prescription drug plan under the terms of that plan. Infertility benefits do not include in-vitro fertilization, and are not covered for members who have undergone a voluntary sterilization procedure.

2.12.9 MENTAL ILLNESS SERVICES

Pre-certification of non-emergency hospital admission is required. See 2.3.1 for emergency admission. Prior authorization is required for neuropsychiatric testing.

Coverage is provided for medically necessary inpatient and outpatient treatment of mental illness. Inpatient services are limited to the maximum number of days specified in the current Schedule of Benefits. Two partial hospitalization days can be received in lieu of one inpatient day. Outpatient benefits are limited to the maximum number of visits specified in the current Schedule of Benefits. There are no inpatient or outpatient maximums for Severe Mental Illness defined in 33-22-706, MCA.

Covered medical services do not include treatment of the following conditions:

- a. developmental and learning disorders;
- b. speech disorders;
- c. psychoactive substance abuse disorders;
- d. eating disorders (except bulimia and anorexia nervosa);
- e. impulse control conduct disorders (except intermittent explosive disorder and trichotillomania);
- f. mental retardation; or
- g. inpatient confinement for environmental change.

2.12.10 OBESITY MANAGEMENT

Prior authorization is required. No out-of-network level of benefits is available.

Coverage includes non-surgical treatment for reducing or controlling weight under a prior-authorized treatment plan. The member must meet the definition of morbid obesity to begin receiving benefits, and must make timely progressive weight loss for benefit continuation as defined in the prior authorization. Medically indicated drugs that are authorized by the health plan must be obtained through the Employer's prescription drug plan under the terms of that plan.

Non-surgical treatment includes the following services:

- a. Initial evaluation and history;
- b. Follow-up monthly visits;
- c. X-ray and laboratory tests;
- d. Other miscellaneous tests such as ECG, stress test, tread mill;
- e. Continued care based upon medical necessity and independent medical review

Bariatric and other surgeries to reduce weight, dietary supplements, and exercise programs are not included in this benefit.

2.12.11 REHABILITATIVE SERVICES

Pre-certification of non-emergency hospital admission is required. Prior authorization of speech therapy is required. Please refer to your current Schedule of Benefits for inpatient and outpatient maximums.

Coverage includes pulmonary, cardiac, respiratory, physical, and occupational therapy that is ordered by a licensed physician and determined to show proven gain in function. For services to be eligible for coverage, the member must meet one or more of the following criteria:

- a. Has suffered an acute injury or serious illness which debilitates muscles or speech, or hinders the activities of daily living; or
- b. Is receiving treatment for medically diagnosed congenital defects or birth abnormalities; or
- c. Is suffering an exacerbation of an illness/injury, causing further debilitation.

Coverage is provided for services of a licensed speech

therapist for speech therapy, also called speech pathology, and audio diagnostic testing services for diagnosis and treatment of speech and language disorders when all of the following criteria are met:

- a. There is a documented condition that can be expected to improve with therapy within a reasonable time.
- b. Improvement would not normally be expected to occur without intervention.
- c. Treatment is rendered for a condition that is the direct result of a diagnosed neurological muscular or structural abnormality affecting the organs of speech.
- d. Therapy has been prescribed by the speech language pathologist or physician and includes a written treatment plan with estimated length of time for therapy, along with a statement certifying all conditions are met.

Speech therapy is not covered if:

- a. Treatment is for stuttering;
- b. Treatment is for behavioral or learning disorders.

2.12.12 SKILLED NURSING FACILITY CARE

Prior authorization is required. Please refer to the current Schedule of Benefits for maximum days covered.

Coverage is provided for medically necessary care by a licensed skilled nursing facility, or part of an institution that offers skilled nursing facility care.

2.12.13 TRANSPLANTS

Prior authorization (except for corneal transplant services) or pre-certification is required. No out-of-network level of benefits is available.

The health plan has designated certain hospitals to perform covered transplants. These hospitals have been selected for their experience in performing transplants and no benefits are available from other hospitals (except under rare circumstances approved in advance by the health plan) In some instances, the designated hospital may not be located in the health plan's service area, therefore requiring travel. Contact the health plan for a list of designated organ transplant facilities. Covered transplant services and supplies (defined next) for all covered transplant procedures have limits. Please refer to the current Summary of Benefits for limits.

a. Covered Transplant Services

Coverage includes the following services for covered transplants:

- 1) evaluation;
- 2) pre-transplant care;
- 3) transplant and certain specific donor-related services; and
- 4) follow-up treatment.
- 5) travel reimbursement benefits, up to the maximum specified in the current Schedule of Benefits (subject to Federal guidelines) during the dates for which a transplant contract is in effect, or up to one year after the date of the transplant, whichever is longer.

b. Covered Transplants

The following human organ/ tissue transplants are covered:

- 1) corneal
- 2) heart
- 3) kidney
- 4) liver
- 5) lung
- 6) pancreas

Bone marrow transplants are covered, when medically necessary, under the following circumstances:

1) Allogenic and Syngeneic Bone Marrow Transplants (Requires HLA Typing Match on at Least Five Out of Six Loci)

- a) acute lymphocytic leukemia and non--acute lymphocytic leukemia
- b) chronic melogenous leukemia
- c) aplastic anemia
- d) Franconi's Anemia
- e) infantile malignant osteopertrosis
- f) large-cell lymphoma
- g) lymphoma
- h) Severe Combined Immudeficiency Disease (SCIDS)
- i) Wiscott Aldrich Syndrome

2). Autologous Bone Marrow Transplants

- a) acute lymphocytic leukemia and non--acute lymphocytic
- b) leukemia
- c) Burkitts Lymphoma
- d) large-cell lymphoma
- e) non-Hodgkin's lymphoma

- f) Hodgkin's Disease
- g) neuroblastoma

- 3). Stem cell transplants in conjunction with high-dose chemotherapy are covered, when medically necessary. Prior authorization is recommended (a retrospective review will be done if services are not prior authorized). High-dose chemotherapy with either allogenic or autologous stem-cell transplant will be considered on an individual case basis.

c. Donor Benefits

Donor services and supplies will not be covered if provided to an enrolled donor when the recipient is not enrolled in the New West Managed Care Plan or is not eligible for transplant benefits. The exclusion does not apply to complications or unforeseen infections resulting from the donation of tissue.

d. No Coverage for the Following:

- 1) Services or expenses related to the transplantation of animal or artificial organs.
- 2) Transplants that are not currently approved under Medicare transplant guidelines.
- 3) Charges that are not routinely made to all patients receiving similar human transplants.
- 4) Benefits for a human transplant donor who has coverage for services related to the organ or tissue donation elsewhere. If the donor does not have coverage elsewhere, and the recipient is a member, then the donor will be covered under this New West Managed Care Plan, but only for health services related to the organ or tissue donation.
- 5) Kidney transplants that are first covered by Medicare.
- 6) Experimental or investigational procedures.

2.13 PLAN EXCLUSIONS

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The following exclusions are considered non-covered

medical services and supplies:

2.13.1 NON-COVERED SERVICES

Exclusions include health care services and supplies that are not listed as covered medical services even if provided by a licensed provider.

2.13.2 SERVICES WHICH ARE NOT MEDICALLY NECESSARY

2.13.3 NON-AUTHORIZED SERVICES

Exclusions include services not performed, arranged, authorized, or approved as specified in this Supplement.

2.13.4 PRESCRIPTION DRUGS

Exclusions include outpatient prescription drugs, which are covered by a separate prescription drug plan.

2.13.5 PRE-EXISTING CONDITIONS

Pre-existing conditions are excluded for up to one year from a member's coverage effective date. However, the period of exclusion may be reduced by creditable coverage (see the Employer's Summary Plan Document).

2.13.6 HEARING AID SERVICES

Exclusions include all services and supplies related to the purchase, examination, or fitting of hearing aids; supplies; and tinnitus maskers.

2.13.7 COMPLICATIONS FROM INELIGIBLE PROCEDURES

Exclusions include surgery and other services and supplies related to (or required to treat) complications arising from any procedure ineligible for coverage under this Supplement.

2.13.8 ELECTIVE, COSMETIC, AND VOLUNTARY HEALTH SERVICES

Except as specifically provided in this Supplement, exclusions include all services related to voluntary personal health improvement, cosmetic, or other elective health care including, but not limited to:

- a. Surgery and any related services for the sole intent to improve appearance.
- b. Services and supplies for cosmetic purposes, including the restoration of hair, appearance of skin, and/or body shape.

- c. Personal hygiene and convenience items including, but not limited to: air conditioners, humidifiers, or physical fitness equipment.
 - d. Lifestyle improvements, such as physical fitness programs.
 - e. Services and/or memberships provided through facilities including, but not limited to: health clubs, fitness centers, or spas.
 - f. Dietary regimen supplements and/or exercise programs for the controlling or reduction of weight, except the limited obesity treatment benefit (described in 2. 12, provision 10).
 - g. Dietary supplements, except medical foods required for the treatment of inborn errors of metabolism (described in 2. 6.3).
 - h. Procedures, services, drugs, and supplies related to elective abortions, except when the pregnancy is the result of an act of rape or incest.
 - i. Treatment leading to (or in connection with) sexual reassignment including, but not limited to: surgery and mental health counseling.
 - j. Services and supplies for (or related to) conception by artificial means, except as provided in 2. 12, provision 8.
 - k. Services and supplies needed to reverse a sterilization procedure, including tubal ligations and vasectomies.
 - 1. Treatment of sexual dysfunction.
 - m. Pastoral, financial, or legal counseling.
 - n. Counseling services for adolescent behavior problems, learning delays, self discovery and improvement, and family and marital problems.
 - o. All services related to routine, non-medically necessary foot care including, but not limited to: the treatment or removal of corns, calluses, or nails; hypertrophy; hyperplasia of skin or subcutaneous tissues; cutting or trimming of nails; treatment of weak, strained, or flat feet; fallen arches; orthotic appliances, lifts, and orthopedic shoes (except the foot orthotic benefit provided in 2. 12, provision 4); padding and strapping; and fabrication.
 - p. Physical examinations and other services required for obtaining or maintaining employment, insurance, or government licensing, unless they are a portion of an annual physical assessment covered as an adult preventive service (as defined in 2. 8.0).
 - q. School, sports, and camp physicals, unless they are part of an annual physical assessment Covered as a preventive services (as defined in 2.8.0 or 2. 8.1).
 - r. Over-the-counter supplies including, but not limited to: bandages, splints, and medications, with the exception of foods for inborn errors of metabolism.
 - s. Any device for the sole purpose of enhancing sports-related activities.
 - t. Immunizations for foreign travel.
 - u. Education or tutoring services, except as provided in 2. 12, provision 5.
- 2.13.9 NURSING HOME AND RELATED CONVALESCENT CARE**
- Except as specifically provided in this Supplement, exclusions include:
- a. Confinement in a skilled nursing facility, convalescent hospital, other facility or that part of any such facility used for:
 - 1) convalescent, custodial, or rest care;
 - 2) mental illness or chemical dependency care; or
 - 3) training or schooling.
 - b. Services or articles for custodial, convalescent, or maintenance care; domiciliary care; rest care; or care designed primarily to assist in the activities of daily living.
 - c. Long-term care services.
- 2.13.10 EXPERIMENTAL PROCEDURES**
- Exclusions include experimental and/or medical treatments, procedures, drugs, devices, or biologics that are experimental, investigational, or used for research.

2.13.11 NON-STANDARD OR SELF PRESCRIBED SERVICES AND SUPPLIES

Except as specifically provided in this Supplement, plan exclusions include all services for non-standard or self-prescribed therapies. Exclusions include, but are not limited to:

- a. orthomolecular therapy, including nutrients, vitamins, and food supplements;
- b. hypnotism, hypnotherapy, or hypnotic anesthesia;
- c. acupuncture or acupressure;
- d. stress management;
- e. biofeedback;
- f. naturopathy;
- g. homeopathy;
- h. chelation therapy (except for mineral or metal poisoning);
- i. massage or massage therapy; and
- j. rolfing

2.13.12 INJURY OR SICKNESS RELATED TO ILLEGAL ACTIVITIES

Exclusions include the care and treatment of injuries or sickness due to the commission of (or attempt to commit) a felony act, or engaging in an illegal act or occupation.

2.13.13 INJURY OR SICKNESS RELATED TO A RIOT

Exclusions include the care and treatment of injuries or sickness due to voluntary participation in a riot.

2.13.14 LEGALLY ORDERED SERVICES

Exclusions include services which are required by a court order, or as a condition of parole or probation.

2.13.15 ADMINISTRATIVE CHARGES

Exclusions include charges for missed appointments or other administrative sanctions.

2.13.16 INJURIES OR SICKNESS RELATED TO MILITARY SERVICE

Exclusions include services for (or related to) any sickness or injury suffered as a result of (or while in) military service.

2.13.17 SERVICES INCURRED OUTSIDE THE COVERAGE PERIOD

Exclusions include services incurred outside the coverage period including:

- a. while the member is not covered;

- b. prior to the effective date of coverage for a member; and
- c. after a member's termination of coverage and after any extension of benefits or continuation of coverage as specified in the Employer's Summary Plan Document.

2.13.18 TRAVEL

Travel is excluded, except transportation of the patient in an emergency to the nearest facility qualified to treat the injury or disease, or as otherwise provided in the ambulance benefit (2. 3.0) or transplant benefit (2. 12, provision 13), and approved by the health plan.

2.13.19 CERTAIN PRIVATE ROOM CHARGES

Exclusions include private room accommodations to the extent charges are in excess of the institution's most common semi-private room charge, unless a private room is deemed medically necessary by the health plan or a semi-private room is not available.

2.13.20 DUPLICATE SERVICES OR SERVICES COVERED UNDER ANOTHER BENEFIT PLAN

Except as specifically provided in this Supplement, and subject to the Coordination of Benefits Section of the Employer's Summary Plan Document, all services covered by another benefit plan are excluded including, but not limited to:

a. Government-Covered Services and Supplies

Exclusions include services and supplies to the extent they are covered by any governmental law, regulation, or program (such as Medicare, Medicaid, and Champus), subject to federal and state laws or regulations.

Under certain circumstances, the law allows certain governmental agencies to recover expenses for services rendered to you from your New West Managed Care Option Plan. When such a circumstance occurs, you will receive an EOB.

b. Workers' Compensation Covered Services

Exclusions include services for injuries or diseases for which benefits are (or should be) provided pursuant to state workers' compensation laws. This exclusion applies to all services and supplies provided to treat such

illness or injury even though one or more of the following apply:

- 1) Coverage under the government legislation provided benefits for only a portion of the services incurred.
- 2) The member's employer failed to obtain such coverage as required by law: This exclusion does not apply if the member's employer was not required and did not elect to be covered under any workers' compensation law; occupational disease law; or employer's liability act of any state, country, or the United States.
- 3) The member waived his or her rights to such coverage or benefits.
- 4) The member failed to file a claim within the filing period allowed by law for such benefits.
- 5) The member fails to comply with any other provision of the law to obtain such coverage or benefits.
- 6) The member was permitted to elect not to be covered by the workers' compensation law; but failed to properly make such election effective. This exclusion does not apply if the member is permitted by statute not to be covered and elects not to be covered by a workers' compensation law; occupational disease law; or liability law.

If the member enters into a settlement giving up rights to recover past or future medical benefits under a workers' compensation law, this New West Managed Care Option Plan will not cover past or future medical services that are the subject of (or related to) that settlement. In addition, if the member is covered by a workers' compensation program that limits benefits if providers other than those specified are used, and the member receives care or services from a provider not specified by the program, this New West Managed Care Option Plan will not cover the balance of any costs remaining after the program has paid.

c. Expenses Covered by Other Insurance Policies

Exclusions include expenses that a member is

entitled to have covered (or that are paid) under an automobile insurance policy, a premise liability policy, or other liability insurance policy (such as a home owners or business liability policy). Exclusions also include expenses the member would be entitled to have covered under such policies if not covered by the New West Managed Care Option Plan, unless applicable law requires the health plan to provide primary coverage.

2.13.21 CHARGES MEMBERS ARE NOT OBLIGATED TO PAY

Exclusions include services and supplies for which a member is not legally, or as a customary practice, required to pay in the absence of insurance or a hospital medical payment plan.

2.13.22 THIRD PARTY LIABILITY

Exclusions include services and supplies when another person or entity is legally responsible for causing or contributing to the condition which is being treated, and is therefore liable at law for the cost of treatment, unless the member complies with subrogation provisions of the Employer's Summary Plan Document.

2.13.23 UNUSUAL CIRCUMSTANCES

Neither the health plan nor any network providers shall have any liability or obligation because of a delay or failure to provide covered medical services or benefits under the following circumstances:

- a. complete or partial destruction of facilities;
- b. war;
- c. riot;
- d. civil insurrection;
- e. major disaster;
- f. disability of a significant part of the participating hospital and/or provider network;
- g. epidemic; or
- h. labor dispute not involving the health plan, network hospitals, and/or other network providers.

Network providers will make their best efforts to provide services and benefits within the limitations of available facilities and personnel. If the rendering of covered medical services or benefits is delayed due to a labor dispute involving the health plan or network providers, non-emergency care may be deferred until after the resolution of the labor dispute.

2.13.24 VOCATIONAL REHABILITATION

2.13.25 DENTAL COVERAGE

Exclusions include dental Coverage (see 2.12, provision 3, for limited coverage due to accidental injury).

2.13.26 VISION SERVICES AND APPLIANCES

Exclusions include vision services and appliances including eye exams, glasses, contact lenses, radial keratotomy or other surgery to correct vision, and orthoptic or vision training (these may be covered by a separate Employer vision plan).

2.13.27 TREATMENT FOR MALOCCLUSION OF THE JAW

Exclusions include services for temporomandibular joint dysfunction (TMJ), anterior or internal dislocations, derangements, myofascial pain syndrome, and orthodontics (dentofacial orthopedics) or related appliances. Surgical treatment for these conditions will be allowed only if prior authorized by the health plan.

2.13.28 ORGAN OR TISSUE TRANSPLANTS

Organ and tissue transplants are excluded, except as provided in 2. 12, provision13.

2.13.29 SPEECH THERAPY

Developmental speech therapy is excluded from coverage except as provided in 2.12, 11.

2.13.30 RESIDENTIAL CARE PROGRAMS FOR MENTAL ILLNESS TREATMENT

2.13.31ANY ADDITIONAL CHARGES FOR INCLUSIVE PROCEDURES OR SERVICES

Exclusions include additional charges for inclusive procedures as determined by the Health plan.

2.13.32SERVICES OR SUPPLIES NOT PROVIDED BY A LICENSED PROVIDER OR WHICH ARE NOT LISTED AS A BENEFIT IN THIS SUPPLEMENT

2.13.33CHARGES RESULTING FROM LEAVING A HOSPITAL OR FACILITY CONTRARY TO MEDICAL ADVICE.